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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF, NEVADA**

8 HILLCREST INVESTMENTS, LTD., a
9 Canadian Corporation; AMERGOSA
10 ENTERPRISE, LLC.,
11 Plaintiffs,

12 vs.

13 AMERICAN BORATE COMPANY a foreign
14 corporation; AMERICAN BORATE COMPANY
15 OF TEXAS a foreign corporation, STATE
16 ENGINEER, STATE OF NEVADA,
17 DEPARTMENT OF CONSERVATION AND
18 NATURAL RESOURCES, DIVISION OF
19 WATER RESOURCES, A Nevada Political
20 Subdivision; RAMM Corporation, a Nevada
21 Corporation; UNITED STATES FISH AND
22 WILD SERVICE a division of the UNITED
23 STATES; NATIONAL PARK SERVICE, a
24 division of the UNITED STATES; and DOES I-
25 V, ROES VI-X,

26 Defendants.

Case No 2:21-cv-00964-RFB-NJK

**STIPULATION TO EXTEND DEADLINE
TO FILE RESPONSE TO UNITED
STATES FISH AND WILDLIFE SERVICE
AND THE NATIONAL PARK SERVICE
MOTION TO DISMISS
(SECOND REQUEST)**

22 **COMES NOW**, Plaintiffs and Defendants United States Fish and Wildlife Service and the
23 National Park Service (collectively, "Federal Defendants") by and through their respective
24 attorneys of record hereby stipulate and agree as follows:

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1 On June 21, 2021, the Federal Defendants filed a Motion to Dismiss (“Motion”). *See*
2 (ECF No. 17). Plaintiff’s response to the Motion was due on July 6, 2021. The parties agreed to
3 extend the response deadline to July 14, 2021. *See* (ECF No. 24). The parties also stipulated
4 that the Federal Defendants’ Reply would be due on July 26, 2021. *Id.* The Court
5 granted the stipulation *See* (ECF No. Dkt No 26).

6 The parties make this second request to accommodate workload and scheduling conflicts
7 for Plaintiff’s counsel, which could not be resolved during the first extension. The parties have
8 agreed Plaintiff would have until July 21, 2021 to respond, and the Federal Defendants would have
9 to August 13, 2021 to file a Reply. The additional time for the Reply is needed so as not to
10 prejudice the Federal Defendants as their counsel will be in depositions from July 26, 2021-August
11 6, 2021.

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13 **LAW OFFICES OF BYRON**
14 **THOMAS**

15
16 /s/ David L. Negri

/s/ Byron E. Thomas

17 **CHRISTOPHER CHIOU**
18 Acting United States Attorney
19 District of Nevada
20 **GREG ADDINGTON**
21 Assistant United States Attorney
22 **JEAN E. WILLIAMS**
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24 U.S. Department of Justice
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IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

DATED: July 15, 2021